

LAW OFFICE OF NORMAN NEWHOUSE
NORMAN NEWHOUSE, No. 104746
483 Seaport Court, Suite 103
Redwood City, CA 94063
Telephone: (650) 365-8534
Facsimile: (650) 365-1218

Attorney for Plaintiff
ALEXIS BAUISTA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEXIS BAUTISTA, an individual

Plaintiff,
v.

CITY AND COUNTY OF SAN
FRANCISCO, SAN FRANCISCO
POLICE DEPARTMENT, SAN
FRANCISCO POLICE OFFICER
WILLIAMS, SAN FRANCISCO
POLICE SERGEANT ESPINOZA,
SAN FRANCISCO POLICE
OFFICER LUM, DOES
THROUGH 20, Inclusive,
Defendants.

Case No.: CD7-5434CW

**NOTICE OF MOTION AND
MOTION TO BE RELIEVED AS
COUNSEL - CIVIL**

Hearing Date: April 23, 2008

Time: 9:00 a.m.

Place: Dept. 5

Before: Claudia Wilkin

Date Action Filed: Sept. 25, 2007

Trial Date: April 13, 2009

TO ALL COUNSEL AND THEIR PARTIES:

Please take notice that NORMAN NEWHOUSE moves under California Code of Civil Procedures Section 284(2) and California Rules of Court, Rule 3.1362, for an order permitting the attorney to be relieved as attorney of record in this action or proceeding

A hearing on this motion to be relieved as counsel will be held as follows:

DATE: April 23, 2008; **TIME:** 9:00 a.m.; **DEPT:** 5; **ROOM:** 4th Floor.

This motion is supported by the accompanying Declaration of NORMAN NEWHOUSE. The client presently represented by the attorney is an individual.

Date: March 21, 2008



NORMAN NEWHOUSE
Attorney for Plaintiff, ALEXIS BAUTISTA

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POLICE SERGEANT ESPINOZA,
SAN FRANCISCO POLICE
OFFICER LUM, DOES
THROUGH 20, Inclusive,
Defendants.

Case No.: CD7-5434CW

**DECLARATION IN SUPPORT OF
ATTORNEY'S MOTION TO BE
RELIEVED AS COUNSEL -
CIVIL**

Hearing Date: April 23, 2008

Time: 9:00 a.m.

Place: Dept. 5

Before: Claudia Wilkin

Date Action Filed: Sept. 25, 2007

Trial Date: April 13, 2009

I, Norman Newhouse, declare that I am Plaintiff Alexis Bautista's attorney in the above captioned matter that I am personally competent to testify to the matter stated herein, and that:

I am making the motion to be relieved as counsel under California Code of Civil Procedure Section 284(2) instead of filing a consent under Section 284 (1) for the following reasons:

Client and attorney have reached an impass in proceeding with the case and an inability to communicate due to personal differences.

I have served the client by mail at the client's known address, and have confirmed in the last 30 (thirty) days that the address is current by mail, by telephone, by conversation and by e-mail.

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1 The next hearing in this action has not been set. The trial is set for April 13, 2009.

2 I declare the forgoing is true and is executed at Redwood City, California.

3 Date: March 21, 2008

4 
5 **NORMAN NEWHOUSE**

6 Attorney for Plaintiff, ALEXIS BAUTISTA

Bautista v. City and County of San Francisco, et.al
Northern Division C07 5434 CW

PROOF OF SERVICE

(Business Practice to Entrust Deposit to Others)
(C.C.P. Section 1013a(3))

I, Myriam Cader Sargent, declare:

I am employed in the County of San Mateo, California. I am over the age of 18 years, and not a party to the within action. My business address is 483 Seaport Court, Suite 103, Redwood City, California 94063.

On the date stated below, at my place of business at Redwood City, California, I caused to be served, in the manner indicated below, the within:

**NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL-
CIVIL
DECLARATION IN SUPPORT OF ATTORNEY'S MOTION TO BE
RELIEVED AS COUNSEL-CIVIL**

on the interested parties in said action by placing true copies thereof, enclosed in a sealed envelope, addressed as follows:

Scott Weiner, Esq.
Assistant District Attorney
Office of the District Attorney
City and County of San Francisco
850 Bryant St
San Francisco, CA 94103
Phone: 415-553-9044
Fax: 415-553-1034

Alexis Bautista
1409 Saint Kitts Lane
Foster City, CA 94404

xxx (BY REGULAR MAIL) I caused such envelopes with postage thereon fully prepaid to be placed in the U.S. Mail at Redwood City, California.

xxx
— (BY FACSIMILE) I served the foregoing documents by facsimile transmission to the number shown above for each interested party, pursuant to California Rules of Court Section 2003(3) and no notice of error was received.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on **March 21, 2008** in the City of Redwood City, County of San Mateo, California. that the foregoing is true and correct.


MYRIAM CADER SARGENT